

By:

Barunro

S.B. No. 305

A BILL TO BE ENTITLED

AN ACT

relating to specialized license plates and parking placards for vehicles of persons with disabilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 502.253, Transportation Code, is amended by amending Subsection (e) and adding Subsection (j) to read as follows:

(e) Subject to Subsections ~~[Subsection]~~ (i) and (j), the first application for registration must be accompanied by a written statement of a physician licensed to practice medicine in this state or a state adjacent to this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the Veterans Administration, certifying to the department that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement must include a certification of whether a mobility problem, if applicable, is temporary or permanent. A written statement from a physician is not required as acceptable medical proof if:

(1) the person with a disability:

(A) has had a limb, hand, or foot amputated; or

(B) must use a wheelchair; and

(2) the applicant and the county assessor-collector issuing the special license plates execute an affidavit attesting

1 to the person's disability.

2 (j) If a first application for registration under this  
3 section is made by or on behalf of a person with a mobility problem  
4 that substantially impairs the person's ability to ambulate, the  
5 written statement required by Subsection (e) may be issued by a  
6 person licensed to practice chiropractic in this state or a state  
7 adjacent to this state. In this subsection, "chiropractic" has the  
8 meaning assigned by Section 201.002, Occupations Code.

9 SECTION 2. Section 681.003, Transportation Code, is amended  
10 by amending Subsection (c) and adding Subsection (f) to read as  
11 follows:

12 (c) Subject to Subsections [~~Subsection~~] (e) and (f), the  
13 first application must be accompanied by a notarized written  
14 statement or written prescription of a physician licensed to  
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22 must include a certification of whether the disability is temporary  
23 or permanent and information acceptable to the department to  
24 determine the type of disabled parking placard for which the  
25 applicant is eligible. The department shall determine a person's  
26 eligibility based on evidence provided by the applicant  
27 establishing legal blindness or mobility impairment.

1        (f) If a first application for a disabled parking placard  
2 under this section is made by or on behalf of a person with a  
3 mobility problem that substantially impairs the person's ability to  
4 ambulate, the notarized written statement or written prescription  
5 required by Subsection (c) may be issued by a person licensed to  
6 practice chiropractic in this state or a state adjacent to this  
7 state. In this subsection, "chiropractic" has the meaning assigned  
8 by Section 201.002, Occupations Code.

9        SECTION 3. This Act takes effect September 1, 2003.

1-1 By: Barrientos S.B. No. 305  
1-2 (In the Senate - Filed January 28, 2003; February 5, 2003,  
1-3 read first time and referred to Committee on Infrastructure  
1-4 Development and Security; March 11, 2003, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 9, Nays  
1-6 0; March 11, 2003, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 305 By: Wentworth

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

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1-56 determine the type of disabled parking placard for which the  
1-57 applicant is eligible. The department shall determine a person's  
1-58 eligibility based on evidence provided by the applicant  
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1-60 (f) If a first application for a disabled parking placard  
1-61 under this section is made by or on behalf of a person with a  
1-62 mobility problem that substantially impairs the person's ability to  
1-63 ambulate, the notarized written statement required by Subsection

2-1 (c) may be issued by a person licensed to practice chiropractic in  
2-2 this state or a state adjacent to this state. In this subsection,  
2-3 "chiropractic" has the meaning assigned by Section 201.002,  
2-4 Occupations Code.

2-5 SECTION 3. This Act takes effect September 1, 2003.

2-6 \* \* \* \* \*

FAVORABLY AS SUBSTITUTED  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 305  
By Barrientos  
(Author/Senate Sponsor)  
3/11/03  
(date)

INFRASTRUCTURE DEVELOPMENT  
AND SECURITY

We, your Committee on INFRASTRUCTURE DEVELOPMENT AND SECURITY, to which was referred the attached measure, have on March 10, 2003, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass as substituted, and be printed  
☒ the caption remained the same as original measure  
☐ the caption changed with adoption of the substitute  
  
☐ do pass as substituted, and be ordered not printed  
  
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no  
A revised fiscal note was requested. ☒ yes ☐ no  
An actuarial analysis was requested. ☐ yes ☒ no  
Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Ogden, Chairman	<input checked="" type="checkbox"/>			
Senator Barrientos, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Deuell	<input checked="" type="checkbox"/>			
Senator Ellis	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Madla	<input checked="" type="checkbox"/>			
Senator Shapiro	<input checked="" type="checkbox"/>			
Senator Shapleigh	<input checked="" type="checkbox"/>			
Senator Wentworth	<input checked="" type="checkbox"/>			
TOTAL VOTES	9	0	0	0

COMMITTEE ACTION

S260 Considered in public hearing  
S270 Testimony taken

Amy Schwartz  
COMMITTEE CLERK

Stephen Egan  
CHAIR

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute  
Retain one copy of this form for Committee files

WITNESS LIST

SB 305

SENATE COMMITTEE REPORT

Infrastructure Development and Security

March 3, 2003 - 10:00AM

FOR: Brown, Dr. Jeff Chiropractor (Texas Chiropractic Association), Austin, TX  
Kent, Patte B. Executive Director (Texas Chiropractic Association), Austin, TX

ON: Dike, Jerry Director, Vehicle Titles & Registration (Texas Department of  
Transportation), Austin, TX

Registering, but not testifying:

FOR: Clayton, Bill Consultant (Parker Chiropractic College), Austin, TX  
Ingersoll, Deborah C. Lobbyist/Consultant (Texas Chiropractic College), Austin, TX

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 305  
By: Barrientos  
Infrastructure Development and Security  
3-10-2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

Currently, Texas law authorizes physicians licensed in this state, but not doctors of chiropractic, to complete requests for temporary handicapped parking placards. Many chiropractors treat patients with conditions that affect ambulatory functioning; more than 90 percent of patients seek chiropractic care because of muscular or skeletal problems of the neck, thoracic, back, hip, pelvis, leg, knee, or ankle regions, for which chiropractors find the need to restrict the distances their patients walk. Requiring the patient to make an additional appointment for a physician to fill out a request for a placard costs the patient money, time, and, possibly, additional pain. C.S.S.B. 305 authorizes chiropractors licensed in Texas and adjacent states to complete requests for temporary handicapped parking placards.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 502.253, Transportation Code, by amending Subsection (e) and adding Subsection (j), as follows:

(e) Makes conforming changes relating to the addition of Subsection (j).

(j) Authorizes a person licensed to practice chiropractic in this state or an adjacent state to issue the notarized written statement required in Subsection (e), in a first application for registration under this section by or on behalf of a person with a mobility problem that substantially impairs the person's ability to ambulate. Establishes that in this subsection "chiropractic" has the meaning used in Section 201.002, Occupations Code.

SECTION 2. Amends Section 681.003, Transportation Code, by amending Subsection (c) and adding Subsection (f), as follows:

(c) Makes conforming changes relating to the addition of Subsection (f).

(f) Authorizes a person licensed to practice chiropractic in this state or an adjacent state to issue the notarized written statement required in Subsection (e), in a first application for registration under this section by or on behalf of a person with a mobility problem that substantially impairs the person's ability to ambulate. Establishes that in this subsection "chiropractic" has the meaning used in Section 201.002, Occupations Code.

SECTION 3. Effective date: September 1, 2003.

### **SUMMARY OF COMMITTEE CHANGES**



Differs from the original in SECTION 2 by deleting a reference to a written prescription in Section 681.003(f), Transportation Code.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 10, 2003**

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **SB305** by Barrientos (Relating to specialized license plates and parking placards for vehicles of persons with disabilities.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The Texas Department of Transportation indicates it could absorb the costs of the bill within its current resources.

The bill would take effect September 1, 2003.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 324 Department Of Human Services, 403 Veterans Commission, 601 Department Of Transportation

**LBB Staff:** JK, RR, RT, MW

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**February 27, 2003**

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** SB305 by Barrientos (Relating to specialized license plates and parking placards for vehicles of persons with disabilities.), **As Introduced**

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**LBB Staff:** JK, RR, RT, MW

ADOPTED

APR 30 2003

*Lotay Spaul*  
Secretary of the Senate

By: Barrientos

S.B. No. 305

Substitute the following for S.B. No. 305:

By: Wentworth

C.S. S.B. No. 305

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5 to the person's disability.

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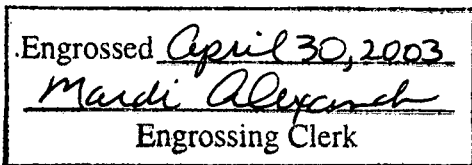
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6 department shall determine a person's eligibility based on  
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15 this subsection, "chiropractic" has the meaning assigned by  
16 Section 201.002, Occupations Code.

17 SECTION 3. This Act takes effect September 1, 2003.



I certify this to be a true and correct  
copy of the engrossed document as  
referred or transmitted to committee.

Chief Clerk of the House

By: Barrientos  
(Geren)

S.B. No. 305

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**Austin, Texas**

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# HOUSE COMMITTEE REPORT

03 MAY 19 PM 3: 02  
HOUSE OF REPRESENTATIVES

1<sup>st</sup> Printing

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(Geren)

S.B. No. 305

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COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

5-16-03  
(date)

Sir:

We, your COMMITTEE ON TRANSPORTATION  
to whom was referred SB 305 have had the same under consideration and beg to report  
back with the recommendation that it

( ☒ ) do pass, without amendment.  
( ☐ ) do pass, with amendment(s).  
( ☐ ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

( ☒ ) yes ( ☐ ) no A fiscal note was requested.  
( ☐ ) yes ( ☒ ) no A criminal justice policy impact statement was requested.  
( ☐ ) yes ( ☒ ) no An equalized educational funding impact statement was requested.  
( ☐ ) yes ( ☒ ) no An actuarial analysis was requested.  
( ☐ ) yes ( ☒ ) no A water development policy impact statement was requested.  
( ☐ ) yes ( ☒ ) no A tax equity note was requested.

( ☐ ) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Geren

Joint Sponsors: / / /  
Co-Sponsors:

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Krusee, Chair	<input checked="" type="checkbox"/>			
Phillips, Vice-chair				<input checked="" type="checkbox"/>
Edwards				<input checked="" type="checkbox"/>
Hamric	<input checked="" type="checkbox"/>			
Harper-Brown	<input checked="" type="checkbox"/>			
Hill				<input checked="" type="checkbox"/>
Garza	<input checked="" type="checkbox"/>			
Laney				<input checked="" type="checkbox"/>
Mercer	<input checked="" type="checkbox"/>			

Total

<u>5</u>	aye
<u>0</u>	nay
<u>0</u>	present, not voting
<u>4</u>	absent

Mitakum  
CHAIR

## **BILL ANALYSIS**

S.B. 305  
By: Barrientos  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, Texas law authorizes physicians licensed in this state, but not doctors of chiropractic, to complete requests for temporary handicapped parking placards. Many chiropractors treat patients with conditions that affect ambulatory functioning; more than 90 percent of patients seek chiropractic care because of muscular or skeletal problems of the neck, thoracic, back, hip, pelvis, leg, knee, or ankle regions, for which chiropractors find the need to restrict the distances their patients walk. Requiring the patient to make an additional appointment for a physician to fill out a request for a placard costs the patient money, time, and, possibly, additional pain. S.B. 305 authorizes chiropractors licensed in Texas and adjacent states to complete requests for temporary handicapped parking placards.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 502.253, Transportation Code, by amending Subsection (e) and adding Subsection (j), as follows:

(e) Makes conforming changes relating to the addition of Subsection (j).

(j) Authorizes a person licensed to practice chiropractic in this state or an adjacent state to issue the notarized written statement required in Subsection (e), in a first application for registration under this section by or on behalf of a person with a mobility problem that substantially impairs the person's ability to ambulate. Establishes that in this subsection "chiropractic" has the meaning used in Section 201.002, Occupations Code.

SECTION 2. Amends Section 681.003, Transportation Code, by amending Subsection (c) and adding Subsection (f), as follows:

(c) Makes conforming changes relating to the addition of Subsection (f).

(f) Authorizes a person licensed to practice chiropractic in this state or an adjacent state to issue the notarized written statement required in Subsection (e), in a first application for registration under this section by or on behalf of a person with a mobility problem that substantially impairs the person's ability to ambulate. Establishes that in this subsection "chiropractic" has the meaning used in Section 201.002, Occupations Code.

SECTION 3. Effective date: September 1, 2003.

### **EFFECTIVE DATE**

September 1, 2003.



## SUMMARY OF COMMITTEE ACTION

SB 305

May 14, 2003                      3:00PM

Considered in formal meeting  
Left pending in committee

May 15, 2003                      upon final adjourn./recess

Considered in formal meeting  
Reported favorably without amendment(s)

May 16, 2003                      1:30PM    or upon final adjourn./recess

Considered in formal meeting  
Vote reconsidered in committee  
Reported favorably without amendment(s)

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 1, 2003**

**TO:** Honorable Mike Krusee, Chair, House Committee on Transportation

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** SB305 by Barrientos (Relating to specialized license plates and parking placards for vehicles of persons with disabilities.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The Texas Department of Transportation indicates it could absorb the costs of the bill within its current resources.

The bill would take effect September 1, 2003.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 324 Department of Human Services, 403 Veterans Commission, 601 Department of Transportation

**LBB Staff:** JK, RR, RT, MW

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 10, 2003**

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** SB305 by Barrientos (Relating to specialized license plates and parking placards for vehicles of persons with disabilities.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The Texas Department of Transportation indicates it could absorb the costs of the bill within its current resources.

The bill would take effect September 1, 2003.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 324 Department Of Human Services, 403 Veterans Commission, 601 Department Of Transportation

**LBB Staff:** JK, RR, RT, MW

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**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**February 27, 2003**

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Infrastructure Development and Security

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB305** by Barrientos (Relating to specialized license plates and parking placards for vehicles of persons with disabilities.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The Texas Department of Transportation indicates it could absorb the costs of the bill within its current resources.

The bill would take effect September 1, 2003.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 324 Department Of Human Services, 403 Veterans Commission, 601 Department Of Transportation

**LBB Staff:** JK, RR, RT, MW

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S.B. No. 305

By Barnino

A BILL TO BE ENTITLED

AN ACT:

relating to specialized license plates and parking placards for vehicles of persons with disabilities.

INFRASTRUCTURE  
DEVELOPMENT  
AND SECURITY

1-28-03 Filed with the Secretary of the Senate  
FEB 5 - 2003 Read and referred to Committee on \_\_\_\_\_  
Reported favorably \_\_\_\_\_  
MAR 11 2003 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.  
Ordered not printed  
Laid before the Senate  
APR 30 2003 Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
APR 30 2003 Read second time, \_\_\_\_\_, and ordered engrossed by: { unanimous consent  
a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays  
APR 30 2003 Senate and Constitutional 3 Day Rule suspended by a vote of 30 yeas, 1 nays.  
APR 30 2003 Read third time, \_\_\_\_\_, and passed by: { A viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

Latey Spaw  
SECRETARY OF THE SENATE

OTHER ACTION:

April 30, 2003 Engrossed  
April 30, 2003 Sent to House

Engrossing Clerk Mardi Rlyand

APR 30 2003 Received from the Senate  
MAY 01 2003 Read first time and referred to Committee on Transportation  
MAY 16 2003 Reported \_\_\_\_\_ favorably (~~as amended~~) (~~as substituted~~)  
MAY 20 2003 Sent to Committee on (Calendars) (~~Local & Consent Calendars~~)  
Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)  
Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.  
Read third time (amended); finally passed (failed to pass) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)  
Returned to Senate.  
Returned from House without amendment.  
Returned from House with \_\_\_\_\_ amendments.  
Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

CHIEF CLERK OF THE HOUSE

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

OTHER ACTION:

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

03 MAY 19 PM 3: 02  
HOUSE OF REPRESENTATIVES